

NEW LAWS ENACTED IN 2005

The following bills of interest to OAA members were enacted into law during 2005. In a very important step toward eliminating the dangers posed by cosmetic contact lenses, President Bush signed into law a bill allowing the FDA to regulate plano contact lenses. One bill, in South Carolina, was vetoed.

CONN.	PUBLIC ACT 05-119	Requires consumers to purchase cosmetic contact lenses from licensed professional.	Enacted into law 6/24/05; effective date: 10/01/05		A violation constitutes unfair trade practice.
ILLINOIS	HB 395	Establishes a Blindness Prevention Fund (from income tax check-off) to make grants to fund (1) public education on importance of eye care & (2) provided eye care to needy children and senior citizens.	Adopted 8/16/05		
NEW JERSEY	A 458	Adds "ophthalmic dispensers and technicians" to providers of professional services that may establish professional corporations.	Enacted into law	Sam Morgenstern (tuba46@aol.com)	
NEW JERSEY	HB 3945 SB 2681	Prohibits dispensing plano contact lenses w/out proper licensure; violation is criminal offense, fine for 1 st offense is \$1000; fines for 2 nd and 3 rd offenses are \$5K and \$10K, plus community service.	Enacted into law 1/04/06	Matt Halpin, Exec. Dir., OANJ Mhalpin @njlobbyist.com	
NEW JERSEY	HB 2091	Requires that protective eyewear mandated for student athletes wearing eyeglasses meet the lens standards of Amer. Nat'l Standards Institute.	Enacted into law 1/11/06		
NEW YORK	S. 317-A	Requires cosmetic contact lenses to be dispensed only with a valid pre-	Signed into law on 9/16/05. Effective	Marianne Lofrumento, sponsor's	Unanimous vote in both Senate and Assembly.

		scription.	date: 12/16/05	Legislative aide, (518) 455-2411.	
NORTH CAROLINA	SB 622 (2005 Appropriations Act)	Establishes Governor's Vision Care Program; funds early detection and vision correction for income eligible children, including payments for eye exams and "necessary spectacles."	Adopted 8/16/05		
RHODE ISLAND	HB 5182	Requires vision screening for all kindergarten students; those who fail must have comprehensive eye exam with recommended educational adjustments, including eyeglasses for school use or "sight-saving eyeglasses."	Enacted into law 7/19/05; Chapter 382 Laws of 2005		Effective date: 1/01/06.
SOUTH CAROLINA	HB3250 SB267	Provides limitations on the dispensing of contact lenses without valid unexpired prescription; prescriptions valid for 12 months	Passed both houses; <i>VETOED</i> by Governor on 6/07/05		Vetoed because maximum fine deemed "excessive to the public health risk"
TEXAS	HB 1025	Establishes verification procedure required for person dispensing contact lens to ensure that said prescription is valid and accurate	Adopted 5/20/05		
VERMONT	H199	Allows optometrists and ophthalmologists to supervise optician trainees	Adopted 5/24/05		
FEDERAL	S.B. 172 H.R. 371	Allows FDA to regulate all contact lenses -- including non-corrective, decorative lenses -- as medical devices	Signed into law by President Bush on 11/09/05		